

Rochester Land Bank Corporation

Annual Meeting Minutes

September 21, 2015

City Hall, Rm. #223-B

30 Church Street,

Rochester, NY 14614

Board Members Present: Andrea Guzzetta, Kim Jones, Gary Kirkmire, Dana Miller, George Parker, Kate Washington, Carol Wheeler

Non-Board Members Present: Maritza Mejias, Rianne Mitchell, Kathy Sheets (via telephone), Tim Curtin

The meeting was called to order at 3:04 pm by Carol Wheeler, Board Chair.

The minutes from the last meeting were distributed. Dana Miller moved that the minutes be approved. Andrea Guzzetta seconded. The motion was approved by the board.

The board next discussed Resolution No. 16 of 2015 authorizing the use of the Trump Bid at the City's Tax Foreclosure Auction on November 6th. Kim Jones pointed out that Tim Curtin was present at the meeting to fill in for Scott Smith as Corporation Counsel Designee and the header to the resolution should be corrected to reflect that. She then made a motion to approve the resolution subject to that correction; Gary Kirkmire seconded it. The board approved the resolution.

The next item of discussion was Resolution No. 17 of 2015 to approve Investment Guidelines. Carol Wheeler noted a typographical correction in Section II. She then asked whether the listed depositories all had a local presence. Kim Jones explained that while not all the depositories were used, it was important to have multiple depositories available should situations change quickly. Some banks prefer not to hold City funds due to collateral concerns. The Bureau of the Treasury will soon be presenting City Council with an updated list of depositories. Tim Curtin pointed out that Manufacturers and Hanover, identified as the City's fiscal agent in the City Code, no longer exists under that name and recommended that "and its successors" be added to that section. George Parker moved that the Investment Guidelines be approved with those changes. Gary Kirkmire seconded the motion and the board approved the resolution.

The board then discussed Resolution No. 18 of 2015 to re-adopt the existing policies of the Land Bank per the bylaws. George Parker made a motion that the resolution be approved. Kim Jones seconded it and the board approved the resolution.

Next, Kim Jones gave an overview of the Audited Financial Statements. She thanked Dana Miller for his contributions to the regional Economic Factors in the Management Discussion & Analysis. She pointed out that, in view of the Land Bank's staffing reimbursements through the OAG grant and the shared services agreement, the City's Finance Director will not be charging the Land Bank for a portion of the Postemployment Benefits other than Pensions. A letter to that effect will be included in the audit file. She summed up that this was a good audit with no findings. Kate Washington moved that the board approve the FY 2014 Audited Financial Statements. Andrea Guzzetta seconded, and the board approved the motion.

The board then reviewed the FY 2014 Annual Report and the constituent reports contained within it – Investment Report, Procurement Report, Mission Statement and Performance Measures Report, Operations and Accomplishments Report, and the Board Member Self-Evaluation Report. George Parker pointed out that the changes that had been made to the Investment Guidelines needed to be reflected in the Investment Report. The individual Board Members Evaluations were collected and tabulated, and the Summary Report was distributed to the board. George Parker moved that the board approve the Annual Report and the constituent Reports contained within it. Kim Jones seconded and the board approved the motion.

Next, the Governance Committee presented the board with a slate of officers. All of the officers who served in the previous year, agreed to be included. The board voted and approved the slate proposed by the Governance Committee.

The board next received an update on the progress of the CRI grant. The Land Bank is on track to meet its CRI Round One grant requirements by the end of the calendar year; however two acquisitions that occurred in 2014 no longer qualify. The condition of 43 Sterling Street has become too deteriorated for rehabilitation to be responsible and the City's technical services division recommends demolition. In addition, the environmental remediation costs and the changed scope of work necessitated by the neighborhood's application to become a preservation district have placed the development costs for 44 Aldine Street out of reach. RHDFC has proposed a plan where they will sell the property without rehabilitating it and use the proceeds to fund the demolition of 43 Sterling Street. Gary Kirkmire asked how selling 44 Aldine Street is in the best interests of the Land Bank and whether the Trump Bid can be used in this case. Tim Curtin asked whether the properties' situation has changed since their purchase at the auction. Gary Kirkmire explained that the condition of the properties could not be fully assessed prior to their purchase at the Tax Foreclosure Auction. Tim Curtin offered the opinion that if no one could be said to benefit unfairly from the change in disposition plans, there should be no problem. George Parker pointed out that since the Land Bank would be selling it for the amount of the Trump Bid to the RHDFC, but the RHDFC would be making a profit by selling it for fair market value to an investor, it would seem that there would be a benefit that could be considered unfair. Kim Jones stated that the Land Bank needed to develop a concrete policy for instances where plans cannot be carried out as anticipated. Gary Kirkmire noted that it is a difficult environment for an unsubsidized sale to an owner-occupant of a property that needs rehabilitation. We have hundreds of owner occupants who have outstanding blight issues due to their inability to properly maintain their homes, subsidies for owner occupants both at the point of purchase and for rehab purposes thereafter are essential elements to the overall growth of our owner occupancy rate. Kathy Sheets agreed that there are certain limitations for transfer to an owner-occupant when properties are not mortgageable. Dana Miller expressed concern that as 44 Aldine is very large, an investor might intend to make it a multi-family property, which is not in keeping with the character of the neighborhood. Gary Kirkmire suggested that the rehabilitation requirements necessitated by the neighborhood's application for recognition as an historic preservation district could be seen as limiting. Kathy Sheets suggested that rather than allow the immediate sale of the property, other not-for-profit developers be asked to tour the property to see if there might be another affordable housing option. Andrea Guzzetta recommended that the Law Department be asked to give an opinion of the solution proposed by the RHDFC prior to the next board meeting.

The meeting was adjourned at 4:00 pm.

ATTEST:


George Parker – Secretary, Rochester Land Bank Corporation